

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

FILED  
UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO

ALFRED BAIN,

Plaintiff,

04 APR 26 PM 4: 27

CLERK ALBUQUERQUE

vs.

CIV 03-0036 WPJ/KBM

CITY OF ALBUQUERQUE and  
E.O. GUEVARA and P.K. APODACA,  
in their individual and official capacities as  
employees of the City of Albuquerque,

Defendants.

**DEFENDANTS' MOTION IN LIMINE NO. IV: EXCLUSION OF TESTIMONY  
REGARDING PLAINTIFF'S CHILDHOOD ABUSE AND EXPERIENCES**

Defendants, by and through Assistant City Attorney, Beatrice J. Brickhouse, and pursuant to Fed. R. Evid. 104, 401, 402, and 403 hereby moves the Court to exclude Plaintiff from presenting any testimony regarding his childhood abuse and experiences.

As grounds, Defendants state:

1. Introduction of testimony regarding Plaintiff's childhood is inadmissible pursuant to Fed. R. Evid. 104, 401, 402, and 403;
2. Plaintiff opposes this motion;
3. Pursuant to D.N.M.LR-Civ. 7, a memorandum in support of this motion is submitted simultaneously herewith.

**WHEREFORE**, Defendants respectfully request that this Court grant Defendants' Motion in Limine No. IV and thereby exclude any and all testimony regarding Plaintiff's

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childhood abuse and experiences and order all other relief that the Court deems just and proper.

Respectfully Submitted,

CITY OF ALBUQUERQUE  
Robert M. White  
City Attorney



Beatrice J. Brickhouse  
Assistant City Attorney  
Attorney for Defendants  
P. O. Box 2248  
Albuquerque, New Mexico 87103  
(505) 768-4500

I hereby certify that a true copy  
of the foregoing was sent via  
e-mail:

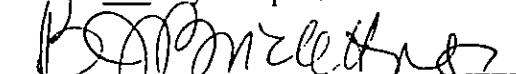
Phillip B. Davis, Esq.  
814 Marquette NW  
Albuquerque, NM 87102  
(505) 242-1904, FAX (505) 242-1864  
[davisp@swcp.com](mailto:davisp@swcp.com)

and mailed to the following  
counsel of record:

Sigmund L. Bloom, Esq.  
712 Marquette Ave SW  
Albuquerque, NM 87102  
(505) 247-0774, FAX (505) 247-0776

*Attorneys for Plaintiff*

on this 26<sup>th</sup> day of April, 2004.

  
Beatrice J. Brickhouse  
Assistant City Attorney